

b. a horizontal plate [member] attachable to the indexing system through at least one adjustable connection, the connection having a connection member extending into the elongated slot of the channel, the connection member interacting with the elongated slot to secure the horizontal plate [member] to the channel in a spaced relationship from the channel stop, the spaced relationship determined by the length of the indexing spacer;

whereby, once the indexing channel system is secured to the woodworking tool and the channel stop securely located at the one end of the elongated slot, the horizontal plate [member] is moved toward the cutting portion until the connection member contacts the indexing spacer so that the horizontal plate [member] is positioned a distance from the cutting portion of the woodworking tool in a precisely determined distance from the cutting portion of the woodworking tool, the distance determined by the length of the indexing spacer.

REMARKS

This Response to Office Action is being filed on Monday January 28, 2008 with a petition and fee for a three-month extension of time. The Office Action had a three month period to respond which expired on October 27, 2007. A three-month extension places this deadline on Sunday January 27, 2008. Since the three month extension time period was a Sunday, under 37 C.F.R. §1.7(a), where the day for taking an action falls on a Sunday, the action may be taken on the next succeeding day that is not a Saturday, Sunday or a Federal holiday. In this case, the next business day after the January 27, 2008 Sunday that is not a Saturday, Sunday or a Federal holiday is Monday January 28, 2008. Consequently, it is respectfully submitted that this Response is being timely filed within the time limit for response with a three-month extension of time.

Claims 4, 13 and 21 have been amended. Claims 4, 11, 13 – 14 and 16 - 27 remain pending in the application. Reconsideration of the claims is requested.

Claims 4, 11, 13, 14 and 16 –27, stand rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. With regard to claims 4 and 21, the Examiner has stated:

“the recitation “the horizontal member” is not clear, i.e., horizontal to what?”

Claims 4 and 21 have been amended to change the reference from “horizontal member” to “horizontal plate.” Support for this amendment is found in the specification at page 14, line 29 – page 15, line 11, page 17, lines 4 – 7, 23 - 25 and in Figures 18, 20 and 29. Since “horizontal plate” is a term shown and specifically defined in the specification and drawings, it is respectfully submitted that its meaning is clear and satisfies the requirements of 35 U.S.C. 112, second paragraph. As a result, it is respectfully submitted that claims 4, 13 and 21, the only claims previously mentioning the “horizontal member” now satisfy the requirements of 35 U.S.C. 112, second paragraph and are in condition for allowance. Since the remaining claims depend from and further limit what is believed to be allowable claims 4 and 21, it is respectfully submitted that claims 4, 11, 13 – 14 and 16 - 27 are in condition for allowance.

The Examiner is respectfully requested to reconsider her rejection in view of the present amendment and thereafter allow the claims. Should the Examiner find it useful, the Examiner is requested to contact the undersigned at (651) 484-1032 with any questions or comments she may have.

Respectfully submitted,

Applicant

A handwritten signature in black ink that reads "Curtis D. Kinghorn". The signature is written in a cursive style with a large, prominent "C" and "K".

Dated: January 28, 2008

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